

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

V.

**AFFIDAVIT IN SUPORT OF
RELEASE AND IN
RESPONSE TO PRETRIAL
SERVICES REPORT**

Case No. 20-mj-1010

BRANDON KIDDER

Defendant

I Michael R. Zosh, Esq. authorized to appear in the United States District Court Western District of New York and have been retained to represent the Defendant, Brandon Kidder, in the criminal matter now before the Court. I, Michael R. Zosh, being duly sworn, depose and say:

1. I have read the criminal complaint and the attached Affidavit of Randall E. Garver and I am familiar with the statements therein. Nowhere in the criminal complaint are any allegations that the defendant committed any violence towards any victims nor has it been alleged that the defendant acted criminally to any specific victim.

2. I have been in constant contact with the family of the Defendant to get in place a workable care plan if the Defendant is released from detention.

3. Attached hereto is the Affidavit of the Defendant's Mother, Darlene Kidder and the affidavit of the defendant's father Larry S. Kidder.

4. It is claimed by the pretrial services report that "based on the nature and circumstances of the instant offense and the information outlined herein, the Pretrial Services Officer finds there is no

condition or combination of conditions to ensure the defendant's appearance in Court or the safety of the community."

5. The family has a care plan in place to protect the defendant, community and will assure that the Defendant is brought to court for every proceeding. See 18 USC 3142 (c)(i).

6. With the assurances from the family it is clear that the Defendant will be supervised 24-7 and access to medical and mental health treatment that the Defendant is desperately in need of. He is not a risk of flight and the Court can be assured of his attendance at all proceedings.

7. The family has taken the steps to eliminate all electronic devices and internet access as set forth in the attached affidavits. The defendant has no passport, vehicle or other transportation available other than the family members. The family will ensure that the defendant will abide by specified restrictions on personal associations, place of abode or travel. See 18 USC 3142 (c)(iv).

8. The family will ensure that the defendant makes all scheduled report dates with the pre-trial services agency. See 18 USC 3142 (c)(vii).

9. The family will ensure that the defendant strictly adheres to a curfew as set by the Court. See 18 USC 3142 (c)(vi).

10. The family has removed all firearms and the defendant will not have any access to firearm, destructive device or any other dangerous weapon. See 18 USC 3142 (c)(vi).

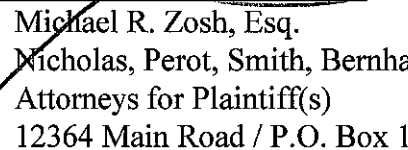
11. The family will ensure that the defendant strictly to all medical and mental health appointments/treatment. See 18 USC 3142 (c)(x).

12. The family will ensure that the defendant refrains from alcohol and drugs. See 18 USC 3142 (c)(ix).

13. If the Court deems it necessary the defendant would consent to electronic monitoring.
See 18 USC 3142 (c)(xiv).

Conclusion: The defendant respectfully requests to be release with the least restrictive conditions or combination of conditions pending trial of this matter.

DATED: Akron, New York
10 March 2020



Michael R. Zosh, Esq.
Nicholas, Perot, Smith, Bernhardt & Zosh, P.C.
Attorneys for Plaintiff(s)
12364 Main Road / P.O. Box 176
Akron, New York 14001
(716) 542-5413

Sworn and Subscribed to before me
On this 10th Day of March 2020.



Notary Public

JENNIFER K. WIK
Notary Public - New York State
Qualified in Erie County
My Commission Expires 6-6-2022

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

V.

**AFFIDAVIT IN SUPORT OF
RELEASE AND IN
RESPONSE TO PRETRIAL
SERVICES REPORT**

Case No. 20-mj-1010

BRANDON KIDDER

Defendant

I Darlene Kidder being duly sworn, depose and say:

1. I have read the Criminal Complaint and the attached Affidavit of Randall E. Garver and I am familiar with the statements therein.
2. I am the mother of the defendant Brandon Kidder and have a workable care plan if the Defendant is released from detention.
3. If released the defendant will reside at 1321 Sandridge Road, Alden NY 14004, left side.
4. At this residence there are no kids, there is a workout room as recommended by his mental health providers, all electronics have been removed and there is no access to the internet. The 2 TV's in the residence will have cable and are not smart TVs.
5. I or my son Jeremy Kidder or My ex-husband and father of the defendant Larry S. Kidder will be staying with the Brandon pending this trial proceeding. We will provide 24-7 supervision of Brandon. I will personally take Brandon to all medical/mental health appointments and to all Court proceedings.

6. Brandon has been diagnosed with schizophrenia and was inpatient from 2/3/20-2/12/20 at ECMC and has been prescribed multiple medications. Additionally, he has been seen by Genesee County Mental Health since 2/18/20 and had a follow up intake on 3/3/20. Brandon has a psychiatric evaluation scheduled for 5/12/2020 with this provider. He is not a risk of flight and the Court can be assured of his attendance at all proceedings.

7. The defendant has no passport, vehicle or other transportation available other than the family members. I will ensure that the defendant will abide by specified restrictions on personal associations, place of abode or travel as set by the Court.

8. If the Court deems it necessary I will ensure that Brandon makes all scheduled report dates with the pretrial services agency.

9. If the Court deems it necessary, we will ensure that Brandon strictly adheres to a curfew as set by the Court.

10. We have removed all firearms and the defendant will not have any access to any firearms. The firearms were removed to my Son Jeremy's house and are locked in a gun case. As part of our family care plan Brandon will not be allowed at Jeremy's residence due to the guns being secured there.

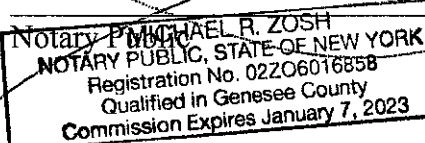
11. I will ensure that the defendant refrains from alcohol and drugs, other than the prescriptions provided by his medical providers.

Conclusion: I respectfully requests that the defendant be release with the least restrictive conditions or combination of conditions pending trial of this matter.

DATED: Akron, New York
10 March 2020


Darlene Kidder

Sworn and Subscribed to before me
On this 10th Day of March 2020.


Notary Public
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02206016858
Qualified in Genesee County
Commission Expires January 7, 2023

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

V.

**AFFIDAVIT IN SUPORT OF
RELEASE AND IN
RESPONSE TO PRETRIAL
SERVICES REPORT**

Case No. 20-mj-1010

BRANDON KIDDER

Defendant

I Larry S. Kidder being duly sworn, depose and say:

1. I am familiar with the criminal allegations against the Defendant Brandon Kidder.
2. I am the father of the defendant Brandon Kidder and will assist Darlene Kidder and Jeremy Kidder in a care plan if the Defendant is released from detention.
3. If released the defendant will reside at 1321 Sandridge Road, Alden NY 14004, left side.
4. At this residence there are no kids, there is a workout room as recommended by his mental health providers, all electronics have been removed and there is no access to the internet. The 2 TV's in the residence will have cable and are not smart TVs.
5. I or my son Jeremy Kidder or My ex-wife will be staying with the Brandon pending this trial proceeding. We will provide 24-7 supervision of Brandon.
6. Brandon has been diagnoses with schizophrenia and was inpatient from 2/3/20-2/12/20 at ECMC and has been prescribed multiple medications. Additionally, he has been seen by Genesee County Mental Health since 2/18/20 and had a follow upon intake on 3/3/20. Brandon has a psychiatric

evaluation scheduled for 5/12/2020 with this provider. He is not a risk of flight and the Court can be assured of his attendance at all proceedings.

7. The defendant has no passport, vehicle or other transportation available other than the family members. I will ensure that the defendant will abide by specified restrictions on personal associations, place of abode or travel as set by the Court.

8. If the Court deems it necessary I will ensure that Brandon makes all scheduled report dates with the pretrial services agency.

9. If the Court deems it necessary, we will ensure that Brandon strictly adheres to a curfew as set by the Court.

10. We have removed all firearms and the defendant will not have any access to any firearms. The firearms were removed to my Son Jeremy's house and our locked in a gun case. As part of our family care plan Brandon will not be allowed at Jeremey's residence due to the guns being secured there.

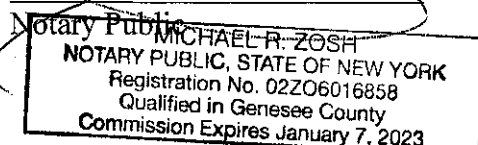
11. I will ensure that the defendant refrains from alcohol and drugs, other than the prescriptions provided by his medical providers.

Conclusion: I respectfully request that the defendant be release with the least restrictive conditions or combination of conditions pending trial of this matter.

DATED: Akron, New York
10 March 2020


Larry S. Kidder

Sworn and Subscribed to before me
On this 10th Day of March 2020.


Notary Public
MICHAEL R. ZOSH
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02206016858
Qualified in Genesee County
Commission Expires January 7, 2023